

MARYLAND STATE DEPARTMENT OF EDUCATION
Division of Special Education/Early Intervention Services
Early Childhood Intervention and Education Branch

**Early Childhood Intervention and Education System of Services:
EXTENDED IFSP OPTION FOR
AGE 3 TO KINDERGARTEN AGE
Policies and Procedures**

**July 1, 2009
FINAL**

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Early Childhood Intervention and Education System of Services: EXTENDED IFSP OPTION FOR AGE 3 TO KINDERGARTEN AGE

Policies and Procedures

In accordance with Section 427 of the General Education Provisions Act (GEPA), Maryland is required to make proposed policies and procedures available for public review for 60 days and to accept comments for at least 30 days. The policies and procedures will be posted on the MSDE website for 60 days, May 6, 2009 through July 6, 2009. Copies of the proposed policies and procedures will also be sent to the offices of the local infants and toddlers program Directors where they will be available for individuals to review.

WRITTEN COMMENTS

Written comments will be accepted for 30 days beginning May 17, 2009 until June 15, 2009. Written comments must be received **no later than 5:00 p.m. June 15, 2009**. Written comment may be:

1. Mailed to Marcella Franczkowski, Branch Chief, Division of Special Education/Early Intervention Services Early Childhood Intervention and Education Branch, Maryland State Department of Education, 200 West Baltimore Street, 9th floor, Baltimore, Maryland 21201;
2. Sent by facsimile at (410) 333-8165; or
3. Sent by electronic mail to Dorothy McMichael at dmcMicha@msde.state.md.us

A public hearing will be conducted on **Friday, May 29, 2009** to provide the public an opportunity to orally comment upon proposed policies and procedures for the Extended IFSP Option for children from age three to the age of eligibility for entry into kindergarten. Individuals wishing to make oral public comment must be registered to speak.

To register, contact Dorothy McMichael, Administrative Aide, Division of Special Education/Early Intervention Services, Early Childhood Intervention and Education Branch, 200 West Baltimore Street, 9th floor, Baltimore, Maryland 21201, at (410) 767-0261(voice) (410) 333-8165 (fax) or electronic mail at dmcMicha@msde.state.md.us no later than 4:00 p.m. on Thursday, May 28, 2009. Each registered presenter will have three minutes to present their testimony and should bring a written copy of their comments to the hearing for the moderator. The public hearing will be held at the Nancy S. Grasmick Building, Maryland State Department of Education, State Board Room, 7th Floor, 200 West Baltimore Street, Baltimore, Maryland 21201, from 9:00 a.m. to noon.

Appropriate accommodations for individuals with disabilities will be provided upon request. Eight business days notice prior to the event is requested. Contact Dorothy McMichael, Administrative Aide, through one of the communication options stated above.

INTRODUCTION

Part C of the Individuals with Disabilities Education Act of 2004 (IDEA) sets an agenda for responsive, appropriate, and quality services for infants and toddlers with disabilities and their families in the natural environment. Maryland has developed a Statewide system of comprehensive, coordinated, multidisciplinary, and interagency programs for all infants and toddlers with disabilities, birth through age two, and their families. Currently at age three, under Part C of the IDEA, a child and family are no longer eligible for services through an Individualized Family Service Plan (IFSP) from a local infants and toddlers program. Through education funds provided in the American Recovery and Reinvestment Act of 2009 (ARRA), Maryland has the opportunity to create a seamless birth through five early childhood intervention and education system for our youngest children with disabilities and their families, allowing a full continuum of services to become a reality.

The Maryland Extended IFSP Option will allow children and families receiving services through an IFSP to continue to receive services beyond age three until the child is eligible to enter or enters kindergarten, if the child has a current IFSP and is determined eligible for preschool special education and related services as a child with a disability. The Extended IFSP Option will expand the possibilities for children to continue to access services under an IFSP as well as to ensure that the families of eligible children continue to receive family training and supports. This option will also create the opportunity to incorporate the strength of the special education preschool/pre-kindergarten educational component with the existing infants and toddlers family-centered service model. In summary, the Extended IFSP Option model will wrap the arms of family support around early childhood education practices to promote school readiness.

Measureable variables that reflect Maryland's early childhood intervention and education system of services include:

Child Outcomes

- In Federal Fiscal Year (FFY) 2007 (July 1, 2007 through June 30, 2008), infants and toddlers who exited the Maryland Infants and Toddlers Program (receiving at least 6 months of service), made as much or more developmental progress as their typically-developing peers in the following areas:

Social-Emotional Skills	88%
Learning New Knowledge and Skills	80%
Meeting Their Needs	82%

- In FFY 2007, children who exited the Maryland special education preschool program (receiving at least 6 months of service), made as much or more developmental and educational progress as their typically-developing peers in the following areas:

Social-Emotional Skills	81%
Learning New Knowledge and Skills	71%
Meeting Their Needs	76%

Natural Environment/Least Restrictive Environment

- In FFY 2007, 91% of infants and toddlers in Maryland received early intervention services primarily in natural environments, which includes the home and community settings.
- In FFY 2007, of the 3,107 *three year olds* receiving special education services in Maryland, 31% were in settings with typically developing peers; of the 4,193 *four year olds* receiving special education services, 50% were in settings with typically developing peers.

Maryland Family/Parent Survey

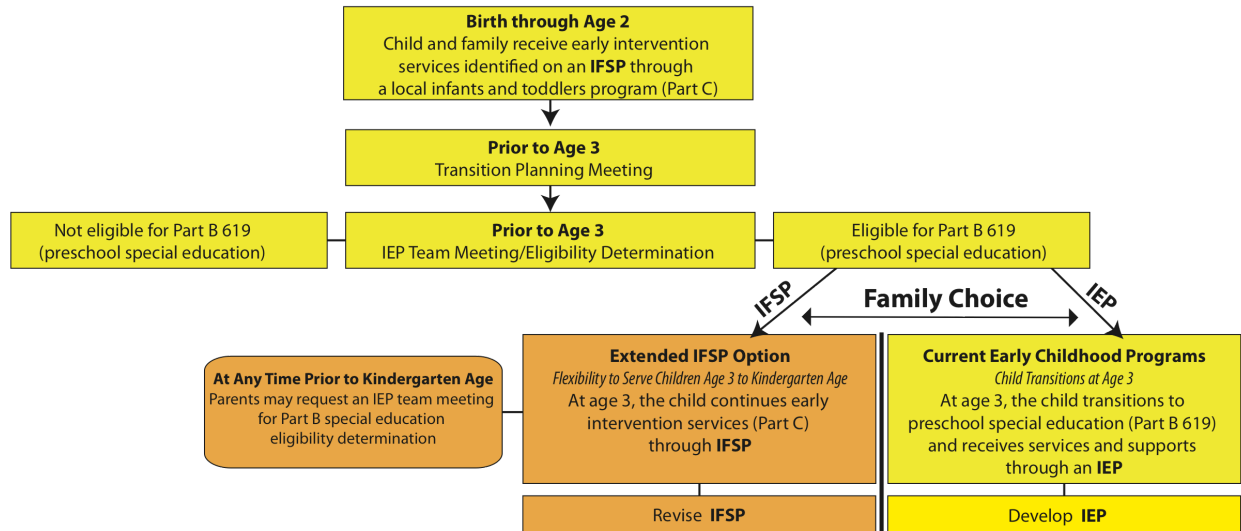
- In FFY 2007, 86% of families of infants and toddlers reported that early intervention services helped their children develop and learn.
- In FFY 2007, 58% of parents with a child, age three through five, receiving special education services reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Family Training and Counseling Support

- In FFY 2007, 29% of families in the infants and toddlers program received family training and counseling services.
- In FFY 2007, 0.5% of families in the Preschool Special Education Program received family training and counseling services.

EARLY CHILDHOOD INTERVENTION and EDUCATION SERVICE MODEL

Under the Extended IFSP Option, Maryland's early childhood intervention and education system of services creates a seamless birth-through-five model, as illustrated below:



In Maryland, children from birth through age two can access services from a local infants and toddlers program through an IFSP. Prior to age three, a transition planning meeting is conducted to identify steps needed to prepare a child and family for the transition to preschool and/or community services. If a parent wishes to consider preschool special education, the child is referred to the local school system to determine the child's eligibility for special education and related services.

Before the age of three, if a child with a current IFSP is determined eligible for special education and related services, Maryland will offer parents the choice of:

- The Maryland Extended IFSP Option – The child and family would continue to receive early intervention services with an educational component that promotes school readiness and incorporates preliteracy, language, and numeracy skills through an IFSP until the child enters kindergarten, or is eligible to enter kindergarten under Maryland law; or
- Special education preschool services through an Individualized Education Program (IEP) as a student with a disability.

A parent of a child with a disability may at anytime choose to terminate his/her child's participation in the Extended IFSP Option and request an Individualized Education Program (IEP) team meeting to consider their child's eligibility for Part B special education services. However, once a parent consents to special education and related services through an IEP, the child is no longer eligible for services through an IFSP. On the date that the Extended IFSP Option takes effect in Maryland, only those children receiving services through an IFSP and determined eligible for special education and related services through an IEP will be able to access this option.

The Maryland State Department of Education is the State Education Agency under Part B of the Individuals with Disabilities Education Act (IDEA) for the preschool program and the State lead agency under Part C of the IDEA for the Maryland Infants and Toddlers Program. In addition, the Maryland State Department of Education, hereafter referred to as the Department, also includes the Division of Early Childhood Development. This Division includes the State's Office of Child Care, the Head Start Collaboration Network, and general education early learning (for example, prekindergarten, Judy Centers, early childhood program accreditation). The Department's ability to collaborate and align priorities for early learning and child care coupled with its seamless system of service and education for infants, toddlers, children, and youth, birth through the age of 21, supports the Department's implementation of this new option for families of young children to receive services and supports in natural environments within their communities.

STATUTORY AND REGULATORY BASIS

Federal Law

The Individuals with Disabilities Education Act (IDEA), as amended, requires the State lead agency (under Part C of the IDEA) and the State Education Agency (under Part B of the IDEA) to develop and submit policies and procedures to ensure a smooth transition of children at age three from early intervention to preschool or other appropriate services and permits a State to make services available to children ages three to kindergarten age through either the Part C early intervention system or the Part B preschool system (20 U.S.C. §§1412(a)(9), 1432(5)(B)(ii), 1435(c), 1437(a)(9) and 1438(4)).

Through this document, Maryland is requesting the public's input on offering the Extended IFSP Option in Maryland in order to finalize these policies and procedures and submit them, as required by IDEA Section 635(c), to the Secretary of the U.S. Department of Education. Maryland's policies and procedures must ensure that:

- (a) Children participating in early intervention programs assisted under Part C of the Act and who will participate in preschool programs assisted under Part B of the Act, experience a smooth and effective transition to those preschool programs in a manner consistent with Sec. 637(a)(9) of the Act;
- (b) By the third birthday of a child described in paragraph (a) of this Section, an Individualized Education Program (IEP) or, if consistent with Sec. 300.323(b) and Sec. 636(d) of the Act, an Individualized Family Service Plan (IFSP), has been developed and is being implemented for the child consistent with Sec. 300.101(b); and
- (c) Each affected local school system will participate in transition planning conferences arranged by the designated lead agency under Sec. 635(a)(10) of the Act.

[34 CFR §300.124]

Through the Local Interagency Plan for Early Intervention Services and the Public Agency Standards Submission Review Process, the Department requires each local infants and toddlers program and local school system to jointly develop and implement one set of policies and procedures to ensure the smooth transition of children from Part C to Part B and other community-based services in the jurisdiction.

Local policies and procedures must be consistent with Statewide policies and procedures and include a method for the local infants and toddlers program lead agency to provide the local school system with the number of children eligible under Part C who will be potentially eligible under Part B within a given school year.

Federal IDEA Statutory Requirement

Policy Requirement Provisions in IDEA Sections 632(5)(B)(ii), 635(c), 638(4), 612(a)(1)(C), 619(f)(5), 611(e)(1)(A), 611(e)(7), 611(f)(3), 619(f)(5) and 643(e).

Maryland State Policies

State Policy Requirement Provisions under Education Article §§2-205, 5-401, 7-101, 7-101.1, 7-301, 8-403, 8-404, 8-411, 8-416, Annotated Code of Maryland; and Code of Maryland Regulations (COMAR) 13A.08.01.01-.02, 13A.08.01.02-.01, 13A.08.01.02-.02, 13A.13.01, 13A.05.01.03, 13A.05.01.05, and 13A.05.01.06.

Maryland Definitions

Infants and Toddlers with Disabilities: Children, birth through two years of age are eligible for early intervention services through an IFSP if the infant or toddler has been assessed as having:

- A 25 percent or greater delay in adaptive, cognitive, communicative, emotional, physical, or social development;
- Atypical development or behavior which is demonstrated by abnormal quality of performance and function in one or more of the above specified developmental areas, interferes with current development, and is likely to result in subsequent delay; or
- A diagnosed physical or mental condition that has a high probability of resulting in developmental delay, with examples of these conditions including chromosomal abnormalities, genetic or congenital disorders, severe sensory impairments, inborn errors of metabolism, disorders reflecting disturbance of the development of the nervous system, congenital infections, disorders secondary to exposure to toxic substances, including fetal alcohol syndrome, and severe attachment disorders.

Children with Disabilities: Beginning at three years of age, a child is eligible for preschool special education and related services through an IEP as a child with a disability if the child has been assessed as having one of the following:

- Autism,
- Deaf-blindness,

- Developmental delay, ages 3 through 9,¹
- Emotional disturbance,
- Hearing impairment, including deafness,
- Intellectual disability,
- Multiple disability,
- Orthopedic impairment,
- Other health impairment,
- Specific learning disability,
- Speech or language impairment,
- Traumatic brain injury, or
- Visual impairment, including blindness;

and, by reason thereof, needs special education and related services.

POLICIES and PROCEDURES

Effective no later than six months from the date of approval of Maryland's application for a State Incentive Grant by the U. S. Department of Education, Office of Special Education Programs, Maryland will make available the Extended IFSP Option. Beginning on the date that the Extended IFSP Option takes effect in Maryland, only those children currently receiving IFSP services through the Maryland Infants and Toddlers Program, and determined eligible for special education and related services through an IEP will be able to access early intervention services beyond age three through an IFSP. A family may choose the Extended IFSP Option until their child enters, or is eligible under State law to enter kindergarten. The continuation of services under this Option shall include an educational component that promotes school readiness and incorporates preliteracy, language, and numeracy skills.

A child may not continue to receive services under this Option once he or she enters, or is eligible to enter, kindergarten, whichever occurs first. In Maryland, a child who is five years old by September 1, must be enrolled in kindergarten under Maryland Code §§7-101(b) and 7-301(a)(1) and Maryland COMAR regulations 13A.08.01.01 and 13A.08.01.02(B)(2). In addition, under 13A.08.01.02(b)(3), a 4-year-old child, upon request by the parent or guardian, may be admitted to kindergarten if the local superintendent of schools or the superintendent's designee determines that the child demonstrates capabilities warranting early admission. The parental voluntary exemption (Kindergarten Waiver) provisions in Maryland COMAR 13A.08.01.02-2 will not extend the availability of services for a child under the Extended IFSP Option.

Each State that chooses to offer Part C services beyond age three must submit to the U.S. Department of Education its policies under IDEA Section 635(c), "Flexibility To Serve Children 3 Years of Age Until Entrance Into Elementary School." The policies must include the following:

¹ The definition of a child with a developmental delay is consistent with the definition used under Part C, Maryland Infants and Toddlers Program, and by reason thereof, needs special education and related services, [34CFR300.9(b)(2)]. Use of the developmental delay (DD) categorical option is at the discretion of the local school system.

A. *Children Eligible under the Extended IFSP Option*

1. Children with disabilities who are determined eligible for preschool special education through an IEP and who have a current IFSP through the infants and toddlers program.
2. Families may choose the continuation of early intervention services, which shall include an educational component that promotes school readiness and incorporates preliteracy, language, and numeracy skills, until such children enter, or are eligible to enter, kindergarten.
3. The local lead agency will ensure the continuation of all early intervention services identified on the child's IFSP beyond age three, while any eligibility determination is being made for services under the Extended IFSP Option [IDEA section 635(c)(2)(D)]. By the child's third birthday, if the family has not given consent for the evaluation and services under an IFSP or IEP, that was developed and provided to the parent by the child's third birthday, all services will be terminated. NOTE: At any time, a family may pursue IEP services through their local Child Find.
4. Children under the age of three who experience a substantiated case of trauma due to exposure to family violence (as defined in Section 320 of the Family Violence Prevention and Services Act) shall be referred to the early intervention system for evaluation for early intervention services. This requirement shall be included in the local interagency agreement between the lead agency and other local public agencies, including the Department of Social Services [20 USC§1435(c)(2)(G)].

B. *Provision of a Free Appropriate Public Education (FAPE)*

1. Maryland is a birth mandate state that requires all infants, toddlers, children and youth to receive a free appropriate public education (FAPE).
2. FAPE means the services determined by a multidisciplinary team, including the child's parent, to be appropriate for a child and provided to that child through an IFSP or IEP. An IFSP describes early intervention services for infants, toddlers, and children, age three to the age of entry into kindergarten, if the child's parent chooses the Extended IFSP Option. An IEP describes the child's special education and related services if the child is determined to be a child with a disability and the child's parent has declined the Extended IFSP Option through an IFSP. FAPE means all services:
 - a. Are provided at public expense, under public supervision and direction, and at no cost to the parent;
 - b. Meet the standards of the Department;
 - c. Include an appropriate interagency early intervention program, preschool program, elementary school, or secondary school education; and
 - d. Are provided in conformity with an IFSP or IEP.

C. Annual Notification

1. Each local lead agency shall ensure that parents of children served under Part C are provided an annual notice by their child's third birthday and at each IFSP annual review meeting thereafter, including the content described below.
2. The annual notice shall include:
 - a. A description of the rights of parents to elect to receive services for their children, eligible for Part B preschool special education services through the Extended IFSP Option with an IFSP; and
 - b. An explanation of the differences between the early intervention services provided through an IFSP under Part C and the preschool services provided through an Individualized Education Program (IEP) under Part B, including:
 - i. Information confirming that all of the Part C procedural safeguards apply, including the confidentiality, consent, dispute resolution and other provisions in IDEA Section 639 and 34 CFR §§303.400 through 303.460 and 303.510 through 303.512;
 - ii. Types of services and the locations at which the services are provided;
 - iii. Possible costs, which shall be none, for any services identified on a child's IFSP.
3. If the child's parent chooses to continue early childhood interventions and education services through an IFSP, the child's IFSP shall be revised to include an educational component that addresses preliteracy, language, and numeracy skills.
4. If the child is determined eligible for preschool special education services and the child's family does not choose the Extended IFSP Option, the child will be referred to the local school system IEP team for the development of an IEP to address the child's special education and related services needs.
5. Once a parent consents to special education and related services through an IEP, the child is no longer eligible for services through an IFSP.
6. The Department will develop and distribute a document for use by local lead agencies to notify parents of the Maryland Extended IFSP Option that contains all of the information necessary to provide annual notification to parents as required under IDEA Section 635(c)(2)(A).
7. The Department shall disseminate this document to local lead agencies and post an electronic version on the Department's website.
8. The Department will translate the document into the 14 core languages.

Maryland Early Childhood Intervention and Education Service Model
Comparison of Extended IFSP Option and Existing Preschool Services
Age Three to Kindergarten Age

Components	Extended IFSP Option Through an IFSP²	Preschool Services Through an IEP³
<p>Free Appropriate Public Education (FAPE)</p> <p>While all children in Maryland are entitled to a FAPE, the service models and types of services vary.</p>	<p>Maryland assures a free appropriate public education (FAPE) for all students with disabilities, birth through the end of the school year in which the student turns 21 years old.⁴</p> <p>Education Article §8-401; COMAR 13A.05.01.01</p>	<p>Maryland assures a free appropriate public education (FAPE) for all students with disabilities, birth through the end of the school year in which the student turns 21 years old.</p> <p>Education Article §8-401; COMAR 13A.05.01.01</p>
<p>Individualized Plan/Program</p>	<p>Individualized Family Service Plan</p> <p>Individualized Family Service Plan (IFSP) means a written plan for providing early intervention and other services to an eligible child and the child's family; the IFSP is revised at least annually by an IFSP team, which includes the child's parent. The IFSP specifically requires designation of a service coordinator to ensure appropriate implementation and coordination of the plan. The IFSP should reflect coordination across the various service agencies with which the family is involved.</p> <p>The IFSP focuses on both the child and the family within their daily routines.</p> <p>34 CFR §303.344 COMAR 13A.13.01.02B(20) COMAR 13A.13.01.07</p>	<p>Individualized Education Program</p> <p>Individualized Education Program (IEP) means a written statement for a student with a disability that is developed, reviewed, and revised at least annually, by an IEP team, which includes the child's parent.</p> <p>The IEP focuses primarily on how the child's disability affects the child's participation in appropriate activities.</p> <p>34 CFR §§300.320 – 300.324 COMAR 13A.05.01.03B(34) COMAR 13A.05.01.07 – .10</p>

² Part C Services to children three to the age of eligibility for entry into kindergarten

³ Part B Services to children three through five years of age

⁴ In accordance with 20 USC §1439(a)(8)(C) "any reference to the provision of a free appropriate public education to children with disabilities shall be considered to be a reference to the provision of appropriate intervention services to infants and toddlers with disabilities."

Components	Extended IFSP Option Through an IFSP²	Preschool Services Through an IEP³
Procedural Safeguards Notice	<p>Procedural Safeguards Notice COMAR 13A.13.01.11A(1), that includes:</p> <ul style="list-style-type: none"> • Opportunity to Examine Records • Prior Notice • Native Language • Parent Consent • Surrogate Parents • Dispute Resolution <ul style="list-style-type: none"> ▪ Written State Complaint ▪ Impartial Individual Child Complaint ▪ Services During Pendency of Proceeding ▪ Mediation • Confidentiality 	<p>Procedural Safeguards Notice COMAR 13A.05.01.11, that includes:</p> <ul style="list-style-type: none"> • Opportunity to Examine Records • Prior Notice • Native Language • Parent Consent • Surrogate Parents • Dispute Resolution <ul style="list-style-type: none"> ▪ Written State Complaint ▪ Impartial Due Process Complaint ▪ Resolution Session ▪ Services During Pendency of Proceeding ▪ Mediation • Confidentiality • Independent Educational Evaluation • Discipline of Children with Disabilities • Transfer of Rights at Age of Majority • Attorney's Fees • Graduation Requirements • Extended School Year Services
Types of Services	<p>Early Intervention Services</p> <p>Early intervention services necessary to meet the unique needs of the child and the child's family shall be recorded on a Maryland IFSP document, and may include, but are not limited to:</p> <ul style="list-style-type: none"> • Special instruction designed to meet the developmental needs of an infant or toddler with a disability • Transportation • Speech-language pathology services 	<p>Special Education & Related Services</p> <p>Special education (instruction, speech/language therapy, travel training, physical education, vocational education) as specially designed instruction that ensures the child access to the general curriculum to meet the educational standards within the jurisdiction of the public agency that apply to all children. Related services, if determined necessary, to enable the child to benefit from special education may include:</p> <ul style="list-style-type: none"> • Transportation

Components	Extended IFSP Option Through an IFSP ²	Preschool Services Through an IEP ³
	<ul style="list-style-type: none"> • Assistive technology devices and assistive technology services • Audiology services • Psychological services • Physical therapy • Occupational therapy • Early identification, screening, and assessment services • Vision services • Medical services only for diagnostic or evaluation purposes • Nursing • Social work services • Family training, counseling, and home visits • Nutrition services • Service coordination • Respite: a child care-type service provided to enable parent(s) to participate or receive other early intervention services in order to meet the outcomes on a child's IFSP <p>Continuous year-round services for all children</p> <p>34 CFR §303.521(c); COMAR 13A.13.01.07</p>	<ul style="list-style-type: none"> • Speech and language pathology services • Assistive technology devices and assistive technology services • Audiology services • Interpreting services • Psychological services • Physical therapy • Occupational therapy • Recreation, including therapeutic recreation • Early identification and assessment • Student counseling services, including rehabilitation counseling • Vision services, including orientation and mobility services • Medical services for diagnostic or evaluation purposes • School health services and school nurse services • Social work services in schools • Parent counseling and training <p>Extended School Year services if IEP team determines necessary</p> <p>34 CFR §§300.34, 300.39, and 300.106; COMAR 13A.05.01.03B(26),(65) and (71)</p>
Location of Services	<p>Natural Environments</p> <p>Settings that are natural, including the home and community settings in which children without disabilities participate:</p> <ul style="list-style-type: none"> • Home • Public or Private Community Settings, including but not limited to: 	<p>Least Restrictive Environment</p> <p>A public agency shall ensure that:</p> <p>(1) To the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities, are educated with students who are not disabled;</p> <p>(2) Special classes, separate schooling,</p>

Components	Extended IFSP Option Through an IFSP ²	Preschool Services Through an IEP ³
	<ul style="list-style-type: none"> • Public school preschool and pre-kindergarten programs • Private community preschool and pre-kindergarten programs • Head Start • Judith Hoyer Center Partnerships • Child care centers • Family child care providers • Parks and recreation programs • Cooperative play groups • Libraries • Other child serving programs <p><u>NOTE</u> IFSP services may be provided in a setting other than a natural environment only if early intervention and education cannot be achieved satisfactorily in a natural environment. A justification of the extent, if any, to which the services will not be provided in a natural environment is required.</p> <p>34 CFR §300.344(d)(1)(ii); 20 USC §1432(G); COMAR 13A.13.01.08</p>	<p>or other removal of students with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.</p> <ul style="list-style-type: none"> • Home • Service provider location • Public or Private Community Settings, including but not limited to: <ul style="list-style-type: none"> • Public school preschool and pre-kindergarten programs • Private community preschool and pre-kindergarten programs • Head Start • Judith Hoyer Center Partnerships • Child care centers • Family child care providers • Parks and recreation programs • Cooperative play groups • Libraries • Other child serving programs • Public or Private day school • Public or Private residential school <p>34 CFR §300.114; COMAR 13A.05.01.10:</p>
Parent Consent	<p>A parent may accept or decline any particular early intervention service, or withdraw consent to any particular early intervention service after it is first provided.</p>	<p>A parent is required to consent for initial evaluation and the special education and related services within the child's IEP before services are provided. If a parent of a child enrolled in public school or seeking to be enrolled in public school does not provide consent for initial evaluation, or the parent fails to respond to a request to provide consent, the public</p>

Components	Extended IFSP Option Through an IFSP ²	Preschool Services Through an IEP ³
	<p>20 USC §1439(a)(3); COMAR 13A.13.01.08B(9)</p>	<p>agency, may, but it is not required to, pursue the initial evaluation of the child by utilizing the procedural safeguards (including the mediation procedures or the due process procedures), if appropriate.</p> <p>If, at any time after the initial provision of special education and related services, the parent revokes consent in writing for the continued provision of special education and related services, the public agency must terminate the provision of all special education and related services specified in the child's IEP.</p> <p>20 USC §1414(a)(1)(D); 34 CFR 300.300; COMAR 13A.05.01.13</p>
<p>System of Payment</p> <p>No significant differences</p>	<ul style="list-style-type: none"> • Parents are not charged for services. • Medicaid for only health-related early intervention services and service coordination, with parental consent. • Private insurance, with parental consent, for health-related early intervention services only for children who have both private insurance and Medicaid coverage. If denied by private insurance, Medicaid is billed. If paid by private insurance, in rare instances, parents are reimbursed costs. 	<ul style="list-style-type: none"> • Parents are not charged for services. • Medicaid for only health-related services and case management, with parental consent. • Private insurance, with parental consent, for health-related services only for children who have both private insurance and Medicaid coverage. If denied by private insurance, Medicaid is billed. If paid by private insurance, in rare instances, parents are reimbursed costs.

D. Transition

1. At 24 months of age or as part of the initial IFSP, if the child is referred after their second birthday, each local infants and toddlers program must include transition outcomes as part of the IFSP.
2. The infants and toddlers program local lead agency and the local school system jointly develop and implement a written procedure and timeframe (e.g., quarterly, semiannually) for informing the local school system of the potentially eligible children who will reach the age of three within the given timeframe and who reside in the area served by the local school system.
3. At the Transition Planning Meeting (TPM), which is held with the approval of the family, no earlier than nine months and no later than three months prior to the child's third birthday, parents will participate in a discussion of the Extended IFSP Option through an IFSP and special education preschool services through an IEP.
4. The TPM may be held later than 3 months prior to the child's third birthday if:
 - a. The child is unavailable, e.g., because of illness; or
 - b. The TPM is delayed because of other family reasons.
5. A local Part B representative must be invited to attend and is expected to participate in the TPM unless the family does not wish to pursue eligibility under either the Extended IFSP Option or Part B special education preschool services.
6. The local school system shall:
 - a. Convene an IEP team meeting for the purpose of determining eligibility for Part B special education preschool services in a timely manner such that eligibility must be determined before the child's third birthday; and
 - b. Ensure the Part C service coordinator or other designee is invited to attend the Part B eligibility meeting to participate in the review of existing data on the child's progress and performance on the IFSP, unless the family requests, in writing, that a Part C representative not participate in the IEP eligibility meeting.
7. If a child is determined eligible for Part B special education preschool services, the parent must choose, prior to the child's third birthday, to:
 - a. Continue services through an IFSP, including an educational component; or
 - b. Receive special education preschool services through an IEP as a student with a disability in accordance with 34 CFR §300.324 and COMAR 13A.05.01.07 – .10 and no longer receive Part C services.

8. If the parent chooses the Extended IFSP Option, the parent must provide informed written consent, consistent with Section 635(c), COMAR 13A.05.01.03B(12), and COMAR 13A.05.01.13 to the local school system that their child will continue services through the Extended IFSP Option. **NOTE:** Beginning on the date that the Extended IFSP Option takes effect in Maryland, only those children who currently receive services through an IFSP and are determined eligible for special education and related services through an IEP will be able to access the Extended IFSP Option.
9. The local school system shall acknowledge the parent's choice and their child's eligibility by providing the parent prior written notice, in accordance with 34 CFR §300.503 and COMAR 13A.05.01.12.
10. The Part C service coordinator shall ensure that early intervention services identified on a child's IFSP includes an educational component that promotes school readiness and incorporates pre-literacy, language, and pre-numeracy skills when a parent chooses the Extended IFSP Option.
11. If the parent chooses to receive special education preschool services through an IEP, the local school system shall:
 - a. Develop an IEP, in accordance with 34 CFR §§300.320 through 300.324 and COMAR 13A.05.01.07–.10;
 - b. Obtain informed written consent for initial evaluation and the initiation of services, consistent with 34 CFR §300.300 and COMAR 13A.05.01.13B; and
 - c. Ensure the IEP is in effect on or before the child's third birthday, consistent with 34 CFR §300.124 and COMAR 13A.05.01.08A(2).
 - d. Consider ESY services for children transitioning to Part B whose third birthday falls after the end of one school year and before the beginning of the next school year.
12. At any time after the Extended IFSP Option is implemented, a parent may choose to terminate participation in Part C and choose special education preschool services through an IEP.
 - a. The family must notify the local Part C program, in writing, of its choice to terminate IFSP services under the Extended IFSP Option.
 - b. The Part C program will notify the local school system of the decision of the parent to request services through an IEP.
 - c. Re-determining eligibility for a child whose family chooses to terminate IFSP services under the Extended IFSP Option and initiate services through an IEP, prior to Kindergarten age, is not required.
 - d. The local school system will convene an IEP team meeting to develop the IEP and to determine the location of the services to be provided within 45 days of receiving

written notification from the local infants and toddlers program that the parent chose to terminate early intervention services under an IFSP.

- e. At the request of the parent, the Part C service coordinator, or other representatives of the Part C system, must be invited to attend the IEP team meeting referenced in 12d above.
- f. Once a parent consents to special education and related services through an IEP, the child is no longer eligible for services through an IFSP.
- g. Obtain informed written consent for the initiation of special education and related services under Part B, consistent with COMAR 13A.05.01.13B.
- h. ESY services shall be considered in accordance with COMAR 13A.05.01.08B(2).
- i. The local lead agency is required to continue to provide IFSP services under the Extended IFSP Option until the date on which services through an IEP are initiated.

E. Transition at Kindergarten Age Under the Extended IFSP Option

- 1. At least 9 months before a child reaches Kindergarten age, Part C personnel will include transition outcomes as part of the IFSP and continue to provide families with appropriate information to pursue eligibility for special education services through an IEP.
- 2. The infants and toddlers program local lead agency and the local school system jointly develop and implement a written procedure and timeframe (e.g., quarterly, semiannually) for informing the local school system of the potentially eligible children who will reach Kindergarten age within the given timeframe and who reside in the area served by the local school system.
- 3. Within 6 months and no later than 90 days prior to a child's entry into kindergarten or eligibility for entry into kindergarten, the local school system shall convene an IEP team meeting to determine if a child transitioning from a local infants and toddlers program Extended IFSP Option continues to be a child with a disability that requires the provision of special education and related services through an IEP.
- 4. At the request of the parent, the Part C service coordinator, or other representatives of the Part C system must be invited to attend the IEP team meeting referenced in 2. above.
- 5. If a child is determined to be a student with a disability, the public agency shall ensure that:
 - a. An IEP team meets to develop an IEP for the student; and
 - b. The student's IEP shall be in effect upon entry into kindergarten, in accordance with 34 CFR §300.323 and COMAR 13A.05.01.09D.

F. “Stay Put” Requirements

1. If a parent files a due process complaint to dispute a determination that the child does not meet the criteria for identification as a student with a disability under Part B, there is no requirement to provide the child with IFSP services under the Extended IFSP Option after the child’s third birthday during the pendency of the due process hearing.
2. If a child has been identified as a student with a disability under Part B and the parents have provided consent to the provision of IFSP services under the Extended IFSP Option and then file a due process complaint to dispute a determination regarding the provision of FAPE to the child, the public agency is required to continue to provide the IFSP services that the child had been receiving during the pendency of the due process hearing [IDEA section 635(c)(2)(D)].

G. Service Delivery

1. For the Extended IFSP Option, each local lead agency shall ensure that the IFSP process and document is consistent with the requirements described in 34 CFR §303.344 and COMAR 13A.13.01.06 –.08, including:
 - a. Child assessment provided on an ongoing basis to identify the child’s unique strengths and needs and the services appropriate to meet those needs; and
 - b. Family assessment conducted with parent permission to identify the resources, priorities and concerns of the family, and the supports and services necessary to enhance the family’s capacity to meet the developmental needs of the child.
2. Each local lead agency shall ensure the IFSP includes an educational component that promotes school readiness and incorporates pre-literacy, language, and pre-numeracy skills.
3. The educational component shall be individualized for the child and promote school readiness.
 - a. The Department developed the “Model for School Readiness Framework” that defines school readiness as “the stage of human development that enables a child to engage in, and benefit from, primary learning experiences. As a result of family support and relationships with friends and members of the community, a young child reaches certain levels of physical well-being and motor development, acquired social and emotional capabilities, and attained language and comprehension skills coupled with general knowledge. Such attributes help children enter a classroom ready to work.”
4. The local lead agency shall ensure that the content for an educational component included on the IFSP considers:

- a. What a preschool/prekindergarten child should know and be able to do;
 - b. Strategies for supporting the individual child's progress towards meeting expectations established as important for all children as they reach the age of eligibility for entry into kindergarten, including adapting and modifying early childhood curricula, and the use of evidence-based instructional practices;
 - c. Family training in supporting readiness opportunities which are developmentally appropriate, recognizing the uniqueness of each family situation, and providing knowledge of expectations for school readiness; and
 - d. Use of assessment practices that are aligned to the Voluntary State Curriculum (VSC) for pre-kindergarten and kindergarten.
5. The local lead agency shall ensure that early intervention services shall be provided:
 - a. To the maximum extent appropriate, in natural environments, including the home and community settings, such as, but not limited to private and public early childhood programs, Head Start, libraries, and family and center-based child care settings, in which children without disabilities participate; and
 - b. In a setting other than a natural environment, such as special centers, only if early intervention cannot be achieved satisfactorily in a natural environment.

H. Interagency Collaboration

1. The Department, with the participation of the Department of Health and Mental Hygiene, the Department of Human Resources, the Department of Disabilities and the Governor's Office for Children per the State Interagency Agreement as set forth in the State Interagency Agreement, shall:
 - a. Supervise and monitor agencies, institutions included in the early intervention system, consistent with 34 CFR §303.501;
 - b. Provide technical assistance to those agencies, institutions and organizations;
 - c. Enforce obligations imposed on those agencies, institutions and organizations as required under Part C; and
 - d. Correct deficiencies that are identified through desk audits, complaints and on-site monitoring.
2. Each local lead agency shall:
 - a. Collaborate with local public agencies to amend the local interagency agreements, as required to:

- Provide Extended IFSP Option services to children from age three to Maryland's age of eligibility for entry into kindergarten, consistent with COMAR 13A.08.01.02B(2);
 - Promote school readiness and incorporate instruction in preliteracy, language, and numeracy skills; and
 - Collaborate and expand community partnerships with local early childhood education providers, including, but not limited to:
 - Public school preschool and pre-kindergarten programs
 - Private community preschool and pre-kindergarten programs
 - Head Start
 - Judith Hoyer Center Partnerships
 - Child care centers
 - Family child care providers
 - Parks and recreation programs
 - Cooperative play groups
 - Libraries
 - Other child serving programs
- b. Provide data as required for federal and State reporting;
- c. Submit financial and other program reports at the time and in the manner specified by the Department;
- d. Participate in onsite and other types of monitoring as specified by the Department;
- e. Amend the Child Abuse Prevention and Treatment Act (CAPTA) of 2003 agreement between the local early intervention system and the Department of Social Services to reflect the changes included in the Extended IFSP Option.
3. The Department shall:
- a. Receive and resolve any early intervention system complaint that one or more requirements of Part C in 20 U.S.C. §1431 *et seq.* and applicable regulations in 34 CFR Part 303 (as implemented by Maryland's early intervention policies and procedures) of 34 CFR 303 are not being met; and
- b. Disseminate information on the State's procedures to receive and resolve early intervention system complaints to parents, family support and advocacy organizations, and other interested individuals and agencies throughout the State.

I. Comprehensive System of Personnel Development/Personnel Standards

The Department and the Maryland Infants and Toddlers Program shall develop and implement a comprehensive system of personnel development, consistent with 34 CFR §303.360.

1. Each local lead agency shall develop and coordinate the implementation of a local personnel development plan that describes how personnel will be trained in the requirements pursuant to the extension of early intervention services through an IFSP up to kindergarten age.
2. Each local lead agency personnel development plan must specify trainings that will prepare personnel to incorporate into the IFSP an educational component that promotes school readiness, including pre-literacy, language, and numeracy skills.
3. Each local lead agency personnel development plan must provide for collaboration with public and private providers of special instruction, including special education staff, Head Start staff, child care staff, and other public and private early childhood education providers on the educational component of the Extended IFSP Option.
4. Each local lead agency shall ensure that personnel meet the Suitable Qualifications Personnel Standards requirement established by the Department and consistent with 34 CFR §303.361.
5. The Department shall amend the Personnel Standards for Early Intervention Service Providers Resource Document to include the requirement for personnel employed by State, local and private agencies who provide services to eligible children and their families in excess of 15% of their employment hours to have training that promote school readiness.

J. General Supervision

1. The Department's system of general supervision includes:
 - a. Practices that improve developmental results and functional outcomes for infants and toddlers with disabilities and their families;
 - b. Use of multiple methods to identify noncompliance and correct it as soon as possible but no later than one year after noncompliance is identified; and
 - c. Utilization of mechanisms to encourage and support improvement and to enforce compliance.
2. The Department requires local jurisdictions to:
 - a. Provide a signed assurance of the local jurisdiction's agreement to provide year-round continuous services as part of the Consolidated Local Implementation

Grant (CLIG) application and the American Recovery and Reinvestment Act of 2009 (ARRA) application of this initiative;

- b. Develop a local policies and procedures document that includes the signature of the Local Lead Agency Director, the Local Director of Special Education, and the Local Preschool Coordinator; and
- c. Agree to and provide required signatures on the State Assurance Statements as part of the CLIG and ARRA application of this initiative.

K. Funding

1. The Department shall incorporate policies in the State Interagency Agreement, consistent with 34 CFR §303.520 and in the Local Interagency Agreements.
2. The following functions and services shall be carried out at public expense, and at no cost to parents consistent with COMAR 13A.13.01.12C(1)(a):
 - a. Implementing the child find requirement;
 - b. Evaluation and assessment;
 - c. Case management; and
 - d. Administrative and coordinative activities related to the development, review, and evaluation of the Individualized Family Service Plan and implementation of procedural safeguards.
3. The following services shall be provided for eligible children, at no cost to parents in accordance with 34 CFR §303.521(c), COMAR 13A.13.01.07:
 - a. Assistive technology;
 - b. Audiology;
 - c. Case management services;
 - d. Family training, counseling;
 - e. Health Services;
 - f. Medical services for diagnostic or evaluation purposes;
 - g. Nursing services;
 - h. Nutrition services;
 - i. Occupational therapy;
 - j. Physical therapy;
 - k. Psychological services;
 - l. Social work services;
 - m. Special instruction;
 - n. Speech-language pathology;
 - o. Transportation and related costs; and/or
 - p. Vision services.

4. Funding for the Extended IFSP Option will include:
 - a. Federal Part C (Regular, ARRA, ARRA Incentive Grant)
 - b. Federal Part B funds; and
 - c. Federal and State Medicaid funds.
5. Future funding for the Extended IFSP Option may be considered during the modification of the State Part C Interagency Agreement and Local Part C Interagency Agreements, including, but not limited to:
 - a. Local funds;
 - b. Additional State funds provided to local departments of health and social services and school systems;
 - c. Additional federal funds, i.e., Title V funds;
 - d. Private funds through foundations; and
 - e. MSDE incentive grants.
6. Regular FFY 2009 Part C Funding
 - a. From FFY 2004 to FFY 2007, MITP experienced a 5.6% decrease in federal funding. During the same timeframe, MITP experienced a 10.7% increase in the number of children served.
 - b. Use of funds may include activities to:
 - i. Maintain current effectiveness of Local Infants and Toddlers Services for infants and toddlers with disabilities and their families.
 - ii. Promote timely correction of non-compliance as soon as possible but in no case longer than one year.
 - During FFY 2007, all non-compliance was corrected within one year.
 - iii. Promote self identification and timely self correction of potential non-compliance and/or performance indicators by the local jurisdictions
 - In FFY 2007, MITP achieved substantial compliance on 4 out of 5 compliance indicators (95%).
 - In FFY 2007, MITP achieved the state target on 5 out of 6 performance indicators.
 - iv. Maintain compliance by local jurisdictions.
 - c. Allocation of funds:
 - i. Total - \$7,489,632
 - ii. Distribution of funds (see attached Table 1)

7. ARRA FFY 2009 Part C Funding:
 - a. Funds will be allocated to LITPs with the purpose to enhance the current local birth through age two service model for infants and toddlers with disabilities and their families.
 - b. Use of funds may include activities to:
 - i. Adopt and revise early childhood standards and assessments to improve early childhood outcomes; align Part C services with other early childhood interagency efforts to promote high quality standards in Part C, effective assessment systems, and scientifically-based practices;
 - ii. Establish data systems and use data to improve developmental outcomes for infants and toddlers;
 - iii. Establish data systems and use data to improve outcomes for families;
 - iv. Increase early intervention provider effectiveness by conducting professional development and using technology to improve early intervention practices and learning;
 - v. Attract effective providers into underserved areas of Maryland by creating incentives;
 - vi. Attract effective providers and implement effective early intervention and family support practices in areas of Maryland where families face many challenges and where there exists a higher than average percentage of family withdrawal from the early intervention program;
 - vii. Enhance staff retention by supporting new providers in their first two years on the job by providing mentoring and professional networks;
 - viii. Train providers to partner with families to improve child outcomes;
 - ix. Provide intensive training on how to provide early intervention services in the natural environment; and
 - x. Train providers on effective strategies for communicating with families about transition.
 - c. Allocation of funds
 - i. Total - \$7,505,513
 - ii. All funds allocated to LITPs

8. ARRA Incentive Grant:

- a. In FFY 2007, there were 3,170 children who transitioned from Part C and found eligible for Part B Preschool Special Education services. This represents the potential number of children whose families may choose Maryland's Extended IFSP Option in the first year of implementation. Based on the same number of children whose families may choose the Part C Option in the following year, there could potentially be 6,340 children taking advantage of this option in any given year following the first year of implementation. ARRA Incentive Grant Funds will be utilized to create a seamless birth through kindergarten age early childhood intervention and education system for our youngest children with disabilities and their families, allowing a full continuum of statewide services to become a reality.
- b. Use of funds may include activities to:
 - i. Adopt and revise early childhood standards and assessments to improve early childhood outcomes; align Part C services with other early childhood interagency efforts to promote high quality standards in Part C, effective assessment systems, and scientifically-based practices.
 - Develop or adopt formative and comprehensive evaluations and assessments that are valid and reliable for all infants, toddlers, and young children with disabilities and that provide timely data to help the early intervention and education system to identify and track the progress of the population towards achieving IFSP goals and outcomes.
 - Conduct intense, focused professional development activities to provide training in using formative and comprehensive evaluations as well as research-based practices.
 - ii. Enhance MSDE and local data systems' capacity for the expanded Part C population to provide feedback to providers, families, and the community in order to continuously improve the performance of children and providers.
 - Develop a user-friendly online IFSP system for infants, toddlers, and children with disabilities that can be used by providers, families, and service coordinators to provide real-time data for improvement planning.
 - Track the number and percentage of children with disabilities whose families choose the Extended IFSP Option, who substantially increased their rate of developmental growth and who were functioning at age expectations in each outcome by the time they exited the Extended IFSP service model.
 - Use the information to strengthen early intervention and

- education service delivery models and increase the percentage of children who will enter preschool (or other community options) and kindergarten ready to learn.
 - Train Part C lead agency staff, service coordinators, and other early intervention staff to (1) use data to identify the specific, individualized services that infants and toddlers with disabilities need to make progress; (2) adjust intervention strategies; (3) target intervention to address identified child strengths and challenges, and family priorities; and (4) focus professional development and other resources on child, family, and provider needs.
- iii. Improve child outcomes for all infants, toddlers, and children with disabilities and their families.
- Align early intervention and education service program practices with State early learning guidelines and birth through five standards, supporting intensive training opportunities for effective early intervention in the natural environment.
 - Connect Part C professional development opportunities with other systems in the State (existing public and private preschool/pre-kindergarten staff) in order to avoid disconnecting or parallel efforts. Focus funds on those providers (community, Head Start, Judy Centers, etc.) that work with populations in need of quality early development and learning and on assisting providers with obtaining the necessary credentials and skills that would support positive early intervention practices.
 - Invest in studies and reviews to compare child and family outcome data reflective of the Extended IFSP Option and Preschool Special Education service delivery models.
 - Examine and evaluate the impact of different service delivery models within the Extended IFSP Option on child and family outcomes and service delivery cost.
 - Provide direct services to children and families.
- c. Allocation of funds
- i. Total requested - \$14,200,000
 - ii. Distribution of funds (see attached Table 2)

K. Monitoring

The Department has the responsibility under federal law to have a system of general supervision that monitors the implementation of Part C of IDEA. This applies to all identified providers of early intervention services in the State, whether or not they receive funding under Part C [20 U.S.C. 1435(a)(10)(A)]. The primary focus of monitoring activities shall be:

1. Improving functional outcomes for families and all children with disabilities participating in the Extended IFSP Option;
2. Promoting school readiness that incorporates pre-literacy, language, and numeracy skills for children participating in the Extended IFSP Option until they enter, or are eligible under State law to enter, kindergarten [635c(1)]; and
3. Ensuring that LITPs, for the purposes of the Extended IFSP Option meet the State targets on federal indicators 1; 2; 4; 8a, b and c; 9; 10; 11; 13 and 14 and any applicable related requirements.

The Department shall adopt and use proper methods of general oversight that include:

1. Monitoring service providing agencies, institutions, and organizations that provide early intervention services under Part C;
2. Enforcing any obligations imposed on those agencies, institutions, and organizations;
3. Providing technical assistance, if necessary, to those agencies, institutions, and organizations; and
4. Correcting deficiencies that are identified through monitoring.

The Department fulfills this monitoring requirement through:

1. Onsite Record Monitoring and Record Reviews
 - a. On-site monitoring is conducted to verify that data entered by programs into the database is consistent with information in the Early Intervention Record.
 - b. On-site monitoring is conducted to collect the information from Early Intervention Records that must be reported to OSEP, but is not routinely entered into the database.
2. Fiscal Monitoring
 - a. Award Identification – At the time of the award, identifying to the subrecipient the federal award information (e.g., CDFA title and number, award name, name of Federal agency) and applicable compliance requirements.
 - b. During-the-Award Monitoring – Monitoring the subrecipient's use of federal

awards through reporting, site visits, regular contact, or other means to provide reasonable assurance that the subrecipient administers federal awards in compliance with laws, regulations, and the provisions of contracts or grant agreements and that performance goals are achieved.

c. Subrecipient Audits

- i. Ensuring that subrecipients expending \$500,000 or more in federal awards during the subrecipient's fiscal year have met the audit requirements of OMB Circular A-133 and that the required audits are completed within 9 months of the end of the subrecipient's audit period;
- ii. Issuing a management decision on audit findings within 6 months after receipt of the subrecipient's audit report; and
- iii. Ensuring that the subrecipient takes timely and appropriate corrective action on all audit findings. In cases of continued inability or unwillingness of a subrecipient to have the required audits, the pass-through entity shall take appropriate action using sanctions.

3. Data and Database Monitoring

- a. Data within the database is monitored at least two times annually. There are two monitoring periods in which data is analyzed:
 - i. January 1 – June 30
 - ii. July 1 – December 31
- b. Data from each period are summarized for local jurisdictions in the form of:
 - i. Local Profiles
 - (a) Local Profiles are collections of data specific to each jurisdiction for a given monitoring period.
 - ii. Statewide Data Packets
 - (a) Statewide Data Packets are collections of data from each jurisdiction so that data comparisons amongst jurisdictions can be made.
- c. For any identified incidence of noncompliance (<100% compliance), the State is required to implement enforcement actions on the LITP in which the noncompliance occurred. Required actions are detailed on the local data profiles and are based on local indicator performance and include:

- i. Ongoing monitoring;
 - ii. Development of Improvement Plans; and/or
 - (a) Improvement Plans are assigned for each performance indicator in which the State target is not met and for each compliance indicator in which substantial compliance (>95%) is achieved but full compliance (100%) is not.
 - (b) All incidences of noncompliance must be corrected by the local program no later than one year from the date of notification.
 - iii. Development of Corrective Action Plans
 - (a) Corrective Action Plans are assigned for each compliance indicator in which substantial compliance is not achieved.
 - (b) All incidences of noncompliance must be corrected by the local program no later than one year from the date of notification.
- 4. Public Reporting
 - a. As part of Monitoring, the Department is required to report on the State's compliance and performance data. The Annual Performance Report is submitted to OSEP no later than February 1 of each year.
 - b. State and local jurisdiction data are provided online to meet requirements for public reporting.
- 5. Lead Agency System of General Supervision
 - a. Each lead agency is responsible for the implementation of general oversight and supervision of programs and activities receiving assistance under Part C.
 - b. The monitoring of programs and activities used by the State to carry out this part, whether or not these programs or activities are receiving assistance under this part, to ensure that the State complies with this part.

L. Reporting

1. The Department will expand the current on-line data system to report to the Secretary of the U.S. Department of Education the following information as part of the annual State Performance Plan/Annual Performance Report (SPP/APR) submission:
 - a. A report on the number and percentage of children with disabilities who receive services through the Extended IFSP Option are eligible for services under Section 619 but whose parents choose for such children to continue to receive early intervention services under Part C;
 - b. Indicator 1 - Percent of infants, toddlers, and preschool children with IFSPs who receive the early intervention services on their IFSPs in a timely manner;
 - c. Indicator 2 - Percent of infants, toddlers, and preschool children with IFSPs who primarily receive early intervention services in a natural environment with an educational component that promotes school readiness and incorporates pre-literacy, language and numerical skills;
 - d. Indicator 3 - Percent of infants, toddlers and preschool children with IFSPs who demonstrate improvement;
 - e. Indicator 4 – Percent of families participating in Part C who report that early intervention services have helped the family;
 - f. Sub-indicators 8a, b and c – Percent of all children exiting Part C who received timely transition planning to support the child’s transition to preschool other community services or kindergarten;
 - g. Indicator 9 – General supervision system identifies and corrects noncompliance as soon as possible but in no case later than one year from identification;
 - h. Indicator 10 – Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint;
 - i. Indicator 11 – Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline;
 - j. Indicator 12 – Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements;
 - k. Indicator 13 – Percent of mediation held that resulted in mediation agreements; and
 - l. Indicator 14 – State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.
2. MSDE will partner with the Johns Hopkins University, Center for Technology in Education (CTE) to modify the State Infants and Toddlers data system to meet required data reporting.

Table 1 – Regular FFY 2009 Part C Funding (Includes sections required by OSEP for this Incentive Grant.)**A. Description of Use of Part C Funds for the Lead Agency**

When completing this section include:

- Totals for the number of lead agency administrative positions, salaries and fringe benefits funded either 100 percent and/or less than 100 percent with Part C funds
- A general description of the duties which the positions entail
- A subtotal of the amount

Identify any administrative positions for which less than 100% of the time is spent on Part C and, for each such position, indicate the percentage of time spent on Part C and the total amount of salary and fringe benefits included in the Part C application budget.

Positions Funded	Number of Positions Funded by Regular Part C Funds	% of Time Spent on Part C (birth through age 2)	Regular Part C Funds for Salaries & Fringe Benefits	Description of Duties
100% funded with Part C Funds	4	100%	\$366,675	General supervision, including monitoring, data management, data analysis, State and local performance reporting, Hearing Aid Loan Bank and liaison with programs serving infants and toddlers with hearing loss and their families, secretarial, and administrative tasks.
< 100% funded with Part C Funds	6	50%	\$311,961	State-level program administration and general supervision of Maryland's Infants and Toddlers Program, technical assistance, CSPD, State level program administration and general supervision of Family Support Services, and secretarial and clerical tasks.
Subtotal of amount under A:			\$678,636	

B. Maintenance and Implementation Activities for the Lead Agency

When completing this section include:

- A description of the nature and scope of each major activity to be carried out under Part C in maintaining and implementing the statewide system of early intervention services. Activities could include enhancing the Comprehensive System of Personnel Development, implementing child find strategies, or ensuring a timely, comprehensive, multidisciplinary evaluation for each child
- The approximate amount of funds to be spent for each activity
- A subtotal of the amount

(Add columns and rows as needed.)

Major Activity	Regular Part C Funds to be Spent	Description of Activities
PUBLIC AWARENESS	\$38,713	PUBLICATIONS: PROMOTIONAL ITEMS CONFERENCE EXHIBIT/DISPLAYS FAMILY SURVEY
TRAINING/PERSONNEL PREP	\$136,879	STATEWIDE/REGIONAL CONFERENCES ON CHILD AND FAMILY OUTCOMES, ASSESSMENT/EVALUATION TOOLS AND OTHER EARLY INTERVENTION TOPICS
TECHNICAL ASSISTANCE	\$25,000	ANNUAL STATEWIDE LEADERSHIP CONFERENCE
MONITORING	\$10,000	ONSITE PROGRAM MONITORING VISITS SUBRECIPIENT MONITORING VISITS
DATA COLLECTION/ ANALYSIS	\$10,000	DATA TRACKING SYSTEM EXPANSION (HARDWARE & SOFTWARE) AND PROGRAM EVALUATION
PROGRAM/SUPPLIES MATERIALS	\$75,000	RE-PRINT IFSP FORMS/DELIVERY TO LITPs; EARLY INTERVENTION RECORD FOLDERS/DELIVERY TO LITPs
MISCELLANEOUS	\$26,023	POSTAGE; TELEPHONE-INCLUDING PROGRAM 1-800 #
Subtotal of amount under B:	\$321,615	

C. Description of Use of Part C Funds for the Interagency Coordinating Council (ICC)

When completing this section include:

- Totals for the number of ICC administrative positions, salaries and fringe benefits funded either 100 percent and/or less than 100 percent with Part C funds
- A general description of the duties which the positions entail
- A subtotal of the amount

Identify any administrative positions for which less than 100% of the time is spent on Part C and, for each such position, indicate the percentage of time spent on Part C and the total amount of salary and fringe benefits included in the Part C application budget.

Positions Funded	Number of Positions	% of Time Spent on Part C	Amount of Salaries & Fringe Benefits	Description of Duties
100% funded with Part C Funds	N/A			
< 100% funded with Part C Funds	N/A			
Subtotal of amount under C:			\$ 0	

D. Maintenance and Implementation Activities for the Interagency Coordinating Council (ICC)

When completing this section include:

- A description of the nature and scope of each major activity to be carried out under Part C in maintaining and implementing the statewide system of early intervention services. Activities could include coordinating child find identification efforts, ensuring the timely provision and payment of early intervention services to eligible children and their families, advising on early childhood transition, support for the ICC (travel), or other implementation and development activities of the SICC;
- The approximate amount of funds to be spent for each activity; and
- A subtotal of the amount.

(Add columns and rows as needed.)

Major Activity	Regular Part C Funds to be Spent	Description of Activities
Parent Stipend	\$1,500	Parent Member participation in SICC meetings
Meetings	\$8,944	SICC general, executive committee meetings and travel
Subtotal of amount under D:	\$10,444	

E. Direct Services (Funded by Part C Federal Dollars)

When completing this section include:

- A description of any direct early intervention service that the State lead agency expects to provide to eligible children and their families with funds under this part, including a description of any services provided to at-risk infants and toddlers and their families for States that provide services to at-risk children as part of its eligibility criteria. The description must include information about each type of service to be provided, including:
 - A summary of the methods to be used to provide the service (e.g., contracts or other arrangements with specified public or private organizations)
 - The approximate amount of funds under this part to be used for the direct provision of early intervention services

Provide subtotals of the amount and for salaries and fringe benefits for direct service employees (discipline).

(Add columns and rows as needed.)

Direct Service	Regular Part C Funds to be Spent	Summary of Methods to be Used to Provide Service
Assistive Technology	\$34,589	See explanatory note, which applies to all services on the list
Audiology	44,303	
Family Training/Counseling	152,553	
Medical Services	107	
Nursing Services	35,229	
Nutrition	9,608	
Occupational Therapy	188,210	
Other Early Intervention Services	12,170	
Physical Therapy	324,003	
Psychological Services	15,907	
Respite Care	107	
Service Coordinator	1,473,331	
Social Work Services	18,682	
Special Instructions	400,012	
Speech-Language Pathology	353,894	
Transportation & Related Services	45,905	
Vision Services	20,817	
Subtotal of amount under E:	\$3,129,427	

Direct Service Employees (Discipline)	Salary and Fringe	% Part C	Description of Duties
			State-level staff are not employed to provide direct services
Sub Total:	\$ 0		

In Maryland, all early intervention services to eligible infants and toddlers and their families are delivered through 24 local interagency infants and toddlers programs. The State lead agency contracts with the local lead agency for each of the State's 24 local infants and toddlers programs (LITPs) to provide early intervention services to Part C eligible infants and toddlers and their families in the jurisdiction. LITPs utilize multiple funding sources (federal, State, and local) to support the delivery of early intervention services and supports. Part C funding is allocated annually to LITPs based on the local census of infants and toddlers, and the local annual counts of infants and toddlers and their families being served.

Annually, LITPs report the amount of Part C funds expended on direct services and administrative support for the local systems. The percentage of Part C funds used for direct services varies among the jurisdictions, with the current statewide average being 50%. The percentage of Part C funds expended on direct services has decreased slightly since the allocation of State funds to the LITPs in FY 03, because the State lead agency requires that State funds be expended on direct services only.

The figures reported on the Direct Services Chart are estimates of the amount of Part C funds to be spent on each service by LITPs based on the number of children receiving each service and the percentage of Part C funding projected to be used for direct services. Maryland's Part C Project Officer in the Office of Special Education Programs has previously approved this method of reporting estimated expenditures on direct services. Part C funds projected to be expended by LITPS for purposes other direct services (local system administration) are reported in G. Activities By Other Agencies in this section of the application.

F. Description of Optional Use of Part C Funds (For States That Do Not Provide Direct Service for At-Risk Infants and Toddlers)

For any State that does not provide direct services for at-risk infants and toddlers under 20 U.S.C. 1437(a)(4), but chooses to use funds under 20 U.S.C. 1438(5), each Application must include a description of how these funds will be used. Specifically, a State may use Part C funds for initiating, expanding, or improving collaborative efforts related to at-risk infants and toddlers, including establishing linkages with appropriate public or private community-based organizations, services, or personnel for the purpose of:

- Identifying and evaluating at-risk infants and toddlers
- Making referrals of at-risk infants and toddlers who are identified and evaluated
- Conducting periodic follow-up on at-risk infants and toddlers to determine if the status of the infant's or toddler's eligibility for Part C services has changed

Provide a subtotal of the amount.

(Add columns and rows as needed.)

Description of Activity	Amount of Funds
The State Lead Agency has established a wide range of intra- and interagency linkages that identify and support at-risk infants and toddlers and their families, including collaborative efforts with the MSDE's Office of Child Care, Healthy Families Maryland, the Early Childhood Mental Health Steering Committee, community-based early childhood Judy Centers and other State and local school readiness initiatives, and child advocacy organizations, such as Maryland Committee for Children and the Abilities Network. In addition, local infants and toddlers program work with local agencies and organizations providing services and supports to at-risk infants and toddlers and their families (e.g., Family Support Centers), and in some jurisdictions, have developed mechanisms to monitor at-risk infants and toddlers who are not eligible for early intervention services.	State-level activities supported by staff whose salaries are paid by Part C funds and are reported on salary page of this application
Subtotal of amount under F:	\$ 0

G. Activities by Other Agencies

If other State or local public agencies are to receive a portion of the Federal funds under Part C, the Application must include:

- The name of each public agency expected to receive funds
- The approximate amount of funds each public agency will receive
- A summary of the purposes for which the funds will be used

Provide subtotal of amount.

(Add columns and rows as needed.)

Agency Receiving Funds	Amount of Funds Per LITP For Regular Part C	Purpose
Allegany Co. Public Schools	\$77,434	Implementation of Local Early Intervention System
Anne Arundel Co. Public Schools	\$156,412	Implementation of Local Early Intervention System
Baltimore City Health Department	\$482,058	Implementation of Local Early Intervention System
Baltimore Co. Health Department	\$370,230	Implementation of Local Early Intervention System
Calvert Co. Public Schools	\$59,726	Implementation of Local Early Intervention System
Caroline Co. Board of Education	0	Implementation of Local Early Intervention System
Carroll Co. Public Schools	\$50,667	Implementation of Local Early Intervention System
Cecil Co. Public School	\$3,072	Implementation of Local Early Intervention System
Charles Co. Health Department	\$48,320	Implementation of Local Early Intervention System
Dorchester Co. Board of Education	\$2,160	Implementation of Local Early Intervention System
Frederick Co. Health Department	\$45,922	Implementation of Local Early Intervention System
Garrett Co. Partnership for Children and Families	\$5,050	Implementation of Local Early Intervention System
Harford Co. Health Department	\$99,773	Implementation of Local Early Intervention System

Agency Receiving Funds	Amount of Funds Per LITP For Regular Part C	Purpose
Howard Co. Board of Education	\$199,921	Implementation of Local Early Intervention System
Kent Co. Public Schools	0	Implementation of Local Early Intervention System
Montgomery Co. Health and Human Services	\$707,747	Implementation of Local Early Intervention System
Prince George's Co. Health Department	\$444,800	Implementation of Local Early Intervention System
Queen Anne's Co. Board of Education	\$58,436	Implementation of Local Early Intervention System
St. Mary's Co. Health Department	\$45,403	Implementation of Local Early Intervention System
Somerset Co. Public Schools	0	Implementation of Local Early Intervention System
Talbot Co. Board of Education	\$49,211	Implementation of Local Early Intervention System
Washington Co. Board of Education	\$92,471	Implementation of Local Early Intervention System
Wicomico Co. Board of Education	\$90,892	Implementation of Local Early Intervention System
Worcester Co. Board of Education	\$996	Implementation of Local Early Intervention System
Other Public/Private Agencies	\$250,000	Provision of public awareness, training, technical assistance, leadership development, and database development to enhance the capacity of local infants and toddlers programs to identify and serve eligible infants and toddlers and their families.
Subtotal of amount under G:	\$3,340,701	

H. Totals

Enter the subtotal amounts for Sub Sections A-G found in Section III and any indirect costs charged as specified in Section IV.B. The sub total amounts (Rows 1-8) should total the estimated grant application amount. (A State may apply for less than the full estimated allotted amount.)

Enter the subtotal amounts for Sub Sections A-G found in Section III of this application.		
Row No.	Section	Amount Regular Part C Funds
1.	III.A.	\$678,636
2.	III.B.	\$321,615
3.	III.C.	\$0
4.	III.D.	\$10,444
5.	III.E. (Direct Service)	\$3,129,427
	III.E. (Direct Service Employees)	\$0
6.	III.F.	\$0
7.	III.G.	\$3,340,701
Enter any Indirect Costs Charged (See Section IV.B of this application.)		
8.	IV.B	\$70,688
Total (Rows 1-8)		\$7,551,511

Table 2 – ARRA Incentive State Grant (Includes sections required by OSEP for this Incentive Grant.)***A. Description of Use of Extended IFSP Option ARRA Funds for the Lead Agency***

When completing this section include:

- Totals for the number of lead agency administrative positions, salaries and fringe benefits funded either 100 percent and/or less than 100 percent with Part C funds
- A general description of the duties which the positions entail
- A subtotal of the amount

Identify any administrative positions for which less than 100% of the time is spent on Part C and, for each such position, indicate the percentage of time spent on Part C and the total amount of salary and fringe benefits included in the Extended IFSP Option application budget.

Positions Funded	Extended IFSP Option – Salaries, Fringe Benefits for 2 Years	Description of Duties
100% funded with Part C Funds	\$436,960	<p>Implementation of the Extended IFSP Option under 20 U.S.C. 1435(c), general supervision of the program, professional development staffing for 2 years:</p> <p>1.0 On-loan Educational Specialist from local school system including all benefits except retirement</p> <p>1.0 Contractual Educational Specialist with benefits including FICA and Unemployment Insurance</p> <p>1.0 Support Staff Specialist with benefits including FICA and Unemployment Insurance</p>
< 100% funded with Part C Funds		
Subtotal of amount under A:	\$436,960	

B. Extended IFSP Option - Maintenance and Implementation Activities for the Lead Agency for 2 Years

When completing this section include:

- A description of the nature and scope of each major activity to be carried out under Part C in maintaining and implementing the statewide system of early intervention services. Activities could include enhancing the Comprehensive System of Personnel Development, implementing child find strategies, or ensuring a timely, comprehensive, multidisciplinary evaluation for each child
- The approximate amount of funds to be spent for each activity
- A subtotal of the amount

(Add columns and rows as needed.)

Major Activity	Extended IFSP Option for 2 Year Period	Description of Activities
PUBLIC AWARENESS	\$30,000 \$120,000	<p>PUBLICATIONS: FOR EXTENDED IFSP OPTION:</p> <ul style="list-style-type: none"> Current brochures will need to be reprinted and 2 new brochures will need to be developed and printed. <p>FAMILY SURVEY- FOR EXTENDED IFSP OPTION:</p> <ul style="list-style-type: none"> Family surveys will need to be modified; Printing, distribution and analysis costs; Additionally, an on-line version of the survey will be developed to help improve response rate and representativeness.
TRAINING/ PERSONNEL PREP	\$155,000	<p>STATEWIDE/REGIONAL CONFERENCES FOR THE EXTENDED IFSP OPTION: The following statewide training/personnel prep costs are anticipated:</p> <ul style="list-style-type: none"> \$70,000 for consultant to develop online training module on the educational component and school readiness for the Early Childhood Gateway; \$70,000 for 25 regional training meetings for all components of the Extended IFSP Option; Other costs include facility rental, materials and resources and catering (when meetings are 4 hours or longer); \$15,000 for include payment for substitute staff on training days and mileage for State/Local staff An interagency team of early childhood and ITP staff will be the primary recipients of the training; and A train-the-trainers model will be utilized.
MONITORING	\$8,000	<p>ONSITE PROGRAM MONITORING VISITS FOR EXTENDED IFSP OPTION:</p> <ul style="list-style-type: none"> \$8,000 for extended monitoring/TA visits to individual jurisdictions – materials, mileage

Major Activity	Extended IFSP Option for 2 Year Period	Description of Activities
DATA COLLECTION/ ANALYSIS	\$535,810	DATA TRACKING SYSTEM EXPANSION FOR THE EXTENDED IFSP OPTION \$510,000 TO: <ul style="list-style-type: none"> • Structure MD IFSP online application so that providers could utilize the web application; • Modify existing architecture to allow for tracking of children 3 years of age to kindergarten age; • Modify Part C reports to include children participating in the Extended IFSP Option • Redesign Part C database application so that the IFSP and reporting layers are both in ASP.NET (most recent version); • Migrate Part C data from MS SQL 2000 to MS SQL 2005 database; • Preserve the legacy Part C data in the new application environment; and • Costs for management, design, development, testing and implementation.
PROGRAM/ SUPPLIES MATERIALS	\$45,500	RE-PRINT IFSP FORMS/DELIVERY TO LITPs EARLY INTERVENTION RECORD FOLDERS/DELIVERY TO LITPs FOR EXTENDED IFSP OPTION: <ul style="list-style-type: none"> • Modify, print and deliver IFSP forms and folders for an estimated 3,170 children
PROGRAM EVALUATOR	\$50,000	FOR EXTENDED IFSP OPTION: <ul style="list-style-type: none"> • Develop/Implement research study design • Compare Extended IFSP Option & Preschool Special Education child outcome and family outcome data • Examine the impact of different service delivery models on child and family outcomes and on service delivery costs • Examine other variables as determined by stakeholder group
MICELLANEOUS	\$6,000	FOR EXTENDED IFSP OPTION: <ul style="list-style-type: none"> • Postage • Telephone-Including Program 1-800 number
Subtotal of amount under B:	\$950,310	

G. Activities by Other Agencies

If other State or local public agencies are to receive a portion of the Federal funds under Part C, the Application must include:

- The name of each public agency expected to receive funds
- The approximate amount of funds each public agency will receive
- A summary of the purposes for which the funds will be used

Provide subtotal of amount. *(Add columns and rows as needed.)*

Agency Receiving Funds	Amount of Funds Per LITPs For Implementation and Direct Service Provision For The Extended IFSP Option For 2 Years	Purpose
Allegany Co. Public Schools	\$148,238	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Anne Arundel Co. Public Schools	\$1,334,138	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Baltimore City Health Department	\$1,272,374	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Baltimore Co. Health Department	\$1,729,438	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Calvert Co. Public Schools	\$172,944	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Caroline Co. Board of Education	\$37,059	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Carroll Co. Public Schools	\$358,241	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Cecil Co. Public School	\$358,241	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Charles Co. Health Department	\$247,063	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Dorchester Co. Board of Education	\$37,059	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Frederick Co. Health Department	\$481,772	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Garrett Co. Partnership for Children and Families	\$24,706	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Harford Co. Health Department	\$543,538	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Howard Co. Board of Education	\$716,481	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Kent Co. Public Schools	\$12,353	Implementation of Local Early Intervention System (Birth to Kindergarten Age)

Agency Receiving Funds	Amount of Funds Per LITPs For Implementation and Direct Service Provision For The Extended IFSP Option For 2 Years	Purpose
Montgomery Co. Health and Human Services	\$2,729,541	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Prince George's Co. Health Department	\$1,284,725	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Queen Anne's Co. Board of Education	\$98,825	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
St. Mary's Co. Health Department	\$234,709	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Somerset Co. Public Schools	\$24,706	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Talbot Co. Board of Education	\$37,059	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Washington Co. Board of Education	\$234,709	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Wicomico Co. Board of Education	\$197,650	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Worcester Co. Board of Education	\$37,059	Implementation of Local Early Intervention System (Birth to Kindergarten Age)
Other Public/Private Agencies	\$510,000	Provision of public awareness, training, technical assistance, leadership development, and database development to enhance the capacity of local infants and toddlers programs to identify and serve eligible infants and toddlers and their families.
Subtotal of amount under G:	\$12,862,628	

H. Totals

Enter the subtotal amounts for Sub Sections A-G found in Section III and any indirect costs charged as specified in Section IV.B. The sub total amounts (Rows 1-8) should total the estimated grant application amount. (A state may apply for less than the full estimated allotted amount.)

Enter the subtotal amounts for Sub Sections A-G found in Section III of this application.		
Row No.	Section	Amount Extended IFSP Option Funds
1.	III.A.	\$436,960
2.	III.B.	\$950,310
3.	III.G.	\$12,862,628
Enter any Indirect Costs Charged (See Section IV.B of this application.)		
4.	IV.B	\$132,912
Total (Rows 1-4)		\$14,382,810

Additional Funding Sources for Extended IFSP Option:

- Medicaid revenue generated by LITPs for health related services and service coordination is estimated to be \$721,740. Estimate is based on serving 1,046 children during the grant period who are MA eligible and a reimbursement per child of \$690.
- Funds generated by Medicaid will be utilized by LITPs to hire additional staff and for assistive technology, educational materials and supplies, non-staffing administrative costs, staff travel, public awareness activities, staff development, and contracts for year-round service provision.